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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,897	02/01/2001	David H. Thibado	PHA 23,583B	8583

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

NGUYEN, TUYEN T

ART UNIT PAPER NUMBER

2832

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,897

Applicant(s)

THIBADO, DAVID H.

Examiner

TUYEN T NGUYEN

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-12 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-12 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 5 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6-12 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by DE 94 10 532.

DE 94 10 532 discloses a coil device and method of making the coil device [figure 2] comprising:

- an air-core wound coil [6] comprising a wire a wire bent into a plurality of sequential loops, wherein an adjustable space extends between successive loops of the plurality of sequential loops;

- a plurality of terminals [2, 3] for attaching the air-core coil to a circuit board; and

- a surface of flexible material [4] connected to the air-core coil, *wherein the surface of material adapted to and capable of:*

- adjust a position of the plurality of sequential loops of the air-core coil for tuning the air-core coil;

- to be removable from the air-core coil without damaging the the air-core coil;

- bend the plurality of sequential loops to adjust the position of the plurality of sequential loops for the tuning the air-core coil;

Art Unit: 2832

- to be degraded by exposure to a solvent used to wash the circuit board;
 - to be degraded by exposing the material to water and at least a portion of the surface of material *can be removed*;
 - to be degraded by heating the circuit board;
 - flow when exposed to a soldering temperature of eutectic Pb/Sn alloy;
 - sublimate when exposed to a soldering temperature of eutectic Pb/Sn alloy;
 - cut between each loops in the plurality of sequential loops of the air-core coil;
- and
- to be picked up using a vacuum probe of a head of a pick-and-place machine.

Allowable Subject Matter

Claims 5 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 1/13/04 have been fully considered but they are not persuasive.

Applicant argues that:

[1] There is nothing within DE 94 10 532 that would indicate that the spaces are “adjustable” spaces as recited by the rejected claims.

[2] There is no disclosure within DE 94 10 532 relating to the surface of material 4 that satisfies any of the elements listed by the Examiner.

The examiner disagrees.

Art Unit: 2832

Regarding [1], the space structure [figures 2a-2c] can be used to adjust the coil.

Regarding [2], the space structure [figures 2a-2c] and “removable/adjustable” material [4] can be used to adjust the coil and the “removable/adjustable” material 4 is *adapted to and capable of*:

- adjust a position of the plurality of sequential loops of the air-core coil for tuning the air-core coil;
 - to be removable from the air-core coil without damaging the the air-core coil;
 - bend the plurality of sequential loops to adjust the position of the plurality of sequential loops for the tuning the air-core coil;
 - to be degraded by exposure to a solvent used to wash the circuit board;
 - to be degraded by exposing the material to water and at least a portion of the surface of material *can be removed*;
 - to be degraded by heating the circuit board;
 - flow when exposed to a soldering temperature of eutectic Pb/Sn alloy;
 - sublimate when exposed to a soldering temperature of eutectic Pb/Sn alloy;
 - cut between each loops in the plurality of sequential loops of the air-core coil;
- and
- to be picked up using a vacuum probe of a head of a pick-and-place machine.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2832

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUYEN T NGUYEN whose telephone number is 571-272-1996. The examiner can normally be reached on M-F 8:30-6:30.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTN TTN

Tuyen T. Nguyen